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By: **Delegates Kagan and Flanagan**  
Introduced and read first time: January 23, 2002  
Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Elections - Selection of Voting Systems - Open Meetings**

3 FOR the purpose of providing that any meetings concerning a certain selection of a  
4 voting system held by certain entities be subject to the Maryland Open Meetings  
5 Act; providing for the effective date of certain provisions of this Act; providing  
6 for the termination of certain provisions of this Act; and generally relating to  
7 meetings concerning the selection of a voting system.

8 BY repealing and reenacting, with amendments,  
9 Article 33 - Election Code  
10 Section 9-101  
11 Annotated Code of Maryland  
12 (1997 Replacement Volume and 2001 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article - Election Law  
15 Section 9-101  
16 Annotated Code of Maryland  
17 (As enacted by Chapter \_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2002)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article 33 - Election Code**

21 9-101.

22 (a) (1) The State Board, in consultation with the local boards, shall select  
23 and certify a voting system for voting in polling places and a voting system for  
24 absentee voting.

25 (2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY MEETINGS  
26 CONCERNING A SELECTION OF A VOTING SYSTEM CONDUCTED BY THE STATE  
27 BOARD, ANY LOCAL BOARD, OR ANY ORGANIZATION CONSISTING PRIMARILY OF

1 ELECTION BOARD PERSONNEL SHALL BE SUBJECT TO THE MARYLAND OPEN  
2 MEETINGS ACT.

3 (b) The voting system selected and certified for voting in polling places and  
4 the voting system selected and certified for absentee voting shall be used in all  
5 counties.

6 (c) The State Board shall acquire:

7 (1) The voting system selected and certified for voting in polling places;  
8 and

9 (2) The voting system selected and certified for absentee voting.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
11 read as follows:

12 **Article - Election Law**

13 9-101.

14 (a) (1) The State Board, in consultation with the local boards, shall select  
15 and certify a voting system for voting in polling places and a voting system for  
16 absentee voting.

17 (2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY MEETINGS  
18 CONCERNING A SELECTION OF A VOTING SYSTEM CONDUCTED BY THE STATE  
19 BOARD, ANY LOCAL BOARD, OR ANY ORGANIZATION CONSISTING PRIMARILY OF  
20 ELECTION BOARD PERSONNEL SHALL BE SUBJECT TO THE MARYLAND OPEN  
21 MEETINGS ACT.

22 (b) The voting system selected and certified for voting in polling places and  
23 the voting system selected and certified for absentee voting shall be used in all  
24 counties.

25 (c) The State Board shall acquire:

26 (1) The voting system selected and certified for voting in polling places;  
27 and

28 (2) The voting system selected and certified for absentee voting.

29 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall  
30 take effect July 1, 2002. It shall remain effective until the taking effect of Section 2 of  
31 this Act. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated  
32 and of no further force and effect.

33 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions  
34 of Section 3 of this Act, this Act shall take effect January 1, 2003.